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November 28, 2011

VIA ECF

The Honorable Viktor V. Pohorelsky  
United States Magistrate Judge  
United States District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Precision Associates, Inc., et al. v. Panalpina World Transport (Holding) Ltd., et al.*,  
No. 1:08-CV-00042-JG-VVP

Dear Judge Pohorelsky:

In a letter to Your Honor on November 21, 2011, I reported that it would be unduly burdensome for my client, Nippon Express U.S.A., Inc. ("Nippon Express USA"), to recover customer information prior to 2006 stored on backup tapes. Upon further conversations with Nippon Express USA's Information Services Division, it was determined that there was a way of restoring the older information that would not be unduly burdensome. Nippon Express USA has now clarified that it has been able to recover customer information going back to 2001. Last week, I informed plaintiff's counsel of this development, and today I sent a DVD containing customer data for the requested period (2001-2011). We apologize for the confusion.

We believe that this production of customer data resolves all outstanding issues plaintiffs raised with respect to Nippon Express USA in their November 14 letter, but, if not, Nippon Express USA and plaintiff's counsel will continue to meet and confer in advance of the Court conference scheduled for November 30, 2011.

Sincerely,

/s/ Benjamin Sirota

Benjamin Sirota  
*Counsel for Nippon Express U.S.A., Inc.*

cc: Counsel of Record (via ECF)

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